

IN THE MATTER OF THE * BEFORE THE
APPLICATION OF MARYLAND * COUNTY BOARD
CHINA COMPANY, FOR A *
ZONING VARIANCE AND SPECIAL * OF APPEALS
HEARING ON PROPERTY LOCATED *
ON THE WEST SIDE REISTERSTOWN *
ROAD, 368' + NORTH CHATSWORTH *
AVENUE (54 MAIN STREET) * OF
4TH ELECTION DISTRICT * BALTIMORE COUNTY
3RD COUNCILMANIC DISTRICT * CASE NO. 91-172-SPHA

ORDER OF DISMISSAL

This case comes before this Board on appeal from the decision of the Zoning Commissioner dated February 19, 1991 granting Petition for Variances and Petition for Special Hearing with restrictions on property located in the Fourth Election District of Baltimore County.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Counsel for the Appellant in this matter on May 31, 1991 (a copy of which is attached hereto and made a part hereof); and WHEREAS, said Counsel for Appellant requests that the appeal filed by him in this matter be dismissed and withdrawn as of May 31, 1991,

IT IS HEREBY ORDERED this 31st day of May, 1991 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Archie J. Foreman, Acting Chairman
Cecil C. Cress
C. William Clark
Lynn B. Moreland

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCES * ZONING COMMISSIONER
W/S Reisterstown Road, 368' *
+/- N Chatsworth Avenue * OF BALTIMORE COUNTY
54 Main Street *
4th Election District * CASE # 91-172-SPHA
3rd Councilmanic District *
Maryland China Company *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a zoning variance from Section 250.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 7 ft. setback from the nearest residential zone line in lieu of the required 100 ft.; a variance from Section 250.3 to permit a rear yard depth of 13 ft. +/- in lieu of the required 40 ft. and a variance from Section 250.5 to permit the subject building to cover 55% of the land area in lieu of the permitted 50%; a variance from Section 409.4 to permit direct access to parking spaces in lieu of aisle access and, pursuant to the Petition for Special Hearing, permission to amend zoning order 83-89-A and approval for the existing and continuing retail and warehouse use of a single site divided by an M.L.R. and B.L.-C.C.C. zone line for retail and warehouse use, said request including a proposed building addition, as more particularly described on Petitioner's Exhibits 1 and 2.

The Petitioner, by Edward Weiner, President, appeared, testified and was represented by Deborah C. Dopkin, Esquire. Also appearing on behalf of the Petitions was Vince Moskunus of M & H Development Engineering. Also in attendance in support of the Petitions were David Cross, building designer, Brenda Crabbs, representing the Reisterstown-Owings Mill-Glyndon Chamber of Commerce, and Dean Hoover of George W. Stephens and Associates on behalf of

ORDER RECEIVED FOR FILING
Date 2/9/91
By [Signature]

the Operating Engineers Local No. 37, Pension Fund, owner of the adjoining Reisterstown Village Property. There were no Protestants.

Testimony indicated that the subject property, known as 54 Main Street, consists of 1.7 acres +/-, the frontage of which is zoned B.L.-C.C.C. for a depth of 287 ft. +/- and the remainder zoned M.L.R. The property is currently improved by a one story building containing the retail showroom, offices and warehouse for the Petitioner, Maryland China Company.

Mr. Weiner testified that the company is the largest importer of porcelain products in the United States and has occupied its present location since 1970. He is the third generation of his family to operate the business, which sells white porcelain china for final decoration and also sells custom decorated specialty china items. Mr. Weiner further testified that the entire site is and would continue to be used solely by Maryland China to house its retail and mail order sales operation.

Mr. Weiner further testified that the existing warehouse is too small to meet the company's needs and that he was forced to rent off-site storage space. The subject variances were needed to build a modern warehouse to accommodate fork-lift equipment. Mr. Weiner further testified that by providing adequate on-site storage to support the sales operation, most of which is by catalogue, the number of truck deliveries to the site would be reduced.

In addition, Mr. Weiner testified that he had met with the adjoining property owner and had reached an agreement with regard to providing screening and landscaping between their respective properties. In response to the comments raised by the State Highway Administration in a letter dated December 12, 1990, Mr. Weiner testified that he had agreed to his driveways when

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Date 2/9/91
By [Signature]

the proposed Village Road is constructed on the adjoining property, as set forth on Petitioner's Exhibit 2, and consistent with the SHA letter.

Testimony presented by Mr. Moskunus indicated that the configuration of the site necessitated the subject variances, and that if strict compliance with the B.C.Z.R. were required, the entire M.L.R. portion of the site would be rendered unusable. Mr. Moskunus further testified that the grant of the variances would not be burdensome to other property owners nor would the grant cause injury to the public health, safety and welfare. In addition, Mr. Moskunus testified regarding the proposed reconfiguration of the driveways and entrances and the impact that such reconfiguration would have on the parking layout. He indicated that the proposed number of parking spaces would not be reduced by said reconfiguration.

Testimony indicated that the proposed improvements, if granted, would be constructed in phases as indicated on Petitioner's Exhibit No. 2.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 2/9/91
By [Signature]

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

The Petitioner has also requested, pursuant to the Petition for Special Hearing, approval of the continued use of the subject site for retail and warehouse use, said request including the proposed addition. Based on the testimony and evidence presented, it is clear that the Petitioner has fulfilled the requirements of Section 502.1 of the B.C.Z.R. It has also been determined that the proposed use will not be detrimental to the health, safety or general welfare of the community nor tend to create congestion in roads, streets or alleys therein. Testimony and evidence also demonstrated that the Petitioner's request is within the spirit and intent of the B.C.Z.R.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing was not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and zoning variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of February, 1991 that the Petition for Zoning

ORDER RECEIVED FOR FILING
Date 2/9/91
By [Signature]

Variance from Section 250.4 to permit a 7 ft. setback from the nearest residential zone line in lieu of the required 100 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 250.3 to permit a rear yard depth of 13 ft. +/- in lieu of the required 40 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 250.5 to permit the subject building to cover 55% of the land area in lieu of the permitted 50% is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4 to permit direct access to parking spaces in lieu of aisle access is hereby GRANTED; and,

IT IS FURTHER ORDERED that permission to amend zoning case No. 83-89-A, in accordance with Petitioner's Exhibits No. 1 and 2, is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the existing and continuing retail and warehouse use of a single site divided by an M.L.R. and B.L.-C.C.C. zone line for retail and warehouse use, said request including a proposed building addition, in accordance with Petitioner's Exhibit No. 1 and 2, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner

ORDER RECEIVED FOR FILING
Date 2/9/91
By [Signature]

would be required to return, and be responsible for returning, said property to its original condition.

JRH:mmn
cc: Peoples Counsel

J. Robert Haines
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 2/9/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 15, 1991

Deborah C. Dopkin
Attorney at Law
405 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
Maryland China Company, Petitioner
Case #91-172-SPHA

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmn
att.
cc: Peoples Counsel
cc: Mr. Edward A. Weiner, Maryland China Co.
cc: Brenda L. Crabbs, Executive Director
Reisterstown/Owings Mills/Glyndon Chamber of Commerce
Mr. Vincent Moskunus, M & H Development Engineering
Mr. David Cross

102
RECEIVED OCT 18 1990
REVISED PLANS
91-172-SPHA
PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the existing and continuing retail & warehouse use of a single site divided by a MLR-BL-COC Zone Line, including a proposed building addition.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

1/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Maryland China Co., Inc.
(Type or Print Name)
Signature
Edward A. Weiner
(Type or Print Name) President
Signature
Address
City and State

Attorney for Petitioner:
Deborah C. Dopkin
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 825-1099

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of Oct., 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21 day of Dec., 1990, at 2 o'clock P.M. FILED 10/17/90 BY JLL ANYTIME OR DAY 2 HR. TIME. TO BE HEARD WITH ITEM 102. J. Robert Haines, Jr. Zoning Commissioner of Baltimore County.

ZCO-1 (over)

receipt
3382
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Date 9/11/90
NON RESIDENTIAL VARIANCE
54 MAIN STREET, RESTERTOWN MD 21136
OWNER MARYLAND CHINA CO
FEE \$175.00
Item # 102
04404800561CHRC
Please Make Checks Payable To: Baltimore County 0009107A09-11-90 \$175.00
Casher Validation

receipt
No 3382
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Date 9/11/90
PUBLIC HEARING FEES
QTY PRICE
020 - ZONING VARIANCE (OTHER) 1 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: MARYLAND CHINA
See Hand-Written Receipt of 9-11-90
Please make checks payable to: Baltimore County

102
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-172-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 250.4 Request for building lying 7 ft. in lieu of 100 ft. from residential zone; 250.3 Rear yard 13 ft. (4) in lieu of 40 ft.; 250.5 Floor area expansion to 55% in lieu of 50%; 409.4 To allow direct access to parking spaces in lieu of aisle access and to amend the Order.

1. Existing warehouse area has become too small to support the demand on supplies need by our growing trade.
2. To achieve a smooth operation for the projected volume the width of the proposed expansion needs to be a minimum of 70 feet to maneuver a forklift through four aisles with five rack for storage to make this project feasible and productive.
3. In order to be competitive; bulk buying is essential for this operation which keeps the cost down for the consumer which keeps the company growing.

1/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Maryland China Co., Inc.
(Type or Print Name)
Signature
Edward A. Weiner President
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
Deborah C. Dopkin
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 825-1099

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of Oct., 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21 day of Dec., 1990, at 2 o'clock P.M. FILED 9/11/90 BY JLL ANYTIME OR DAY 2 HR. HEARING TIME. J. Robert Haines, Jr. Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 4th
Date of Posting November 30, 1990
Posted for: Special Hearing and Variance
Petitioner: Maryland China Company, Inc.
Location of property: 54 Main Street, Restertown, Md. 21136
Location of Sign: West side of Restertown Road in front of subject property
Remarks:
Posted by: J. J. Arata
Date of return: November 30, 1990
Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 4th
Date of Posting April 19-91
Posted for: Appeal
Petitioner: Maryland China Company
Location of property: 54 Main Street, Restertown, Md. 21136
Location of Sign: East front of 54 Main St.
Remarks:
Posted by: J. J. Arata
Date of return: April 26-91
Number of Signs: 1

102
M. & H. DEVELOPMENT ENGINEERS, INC.
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
MARCH 14, 1990
91-172-SPHA
DESCRIPTION FOR VARIANCE

BEGINNING for the same at a point DISTANT 368 feet more or less, Northernly measured from the intersection formed by the western most side of Restertown Road (80 feet Right-of-Way) and the northern most side of Chatsworth Avenue (50 feet Right-of-Way) thence 1) N 83° 50' 06" W 251.40 feet 2) S 07° 09' 54" W 82.30 feet 3) N 83° 51' 18" W 233.50 feet 4) N 06° 33' 08" E 131.62 feet 5) N 13° 44' 01" W 62.19 feet 6) S 84° 19' 45" E 477.15 feet 7) S 06° 06' 59" W 33.00 feet 8) N 84° 53' 01" W 72.50 feet 9) S 06° 06' 59" W 32.00 feet 10) S 84° 53' 01" E 72.50 feet 11) S 06° 06' 59" W 50.00 feet to the PLACE OF BEGINNING, containing 1.64 acres of land more or less.

MALCOLM E. HODKINS
REGISTERED SURVEYOR #5095

CERTIFICATE OF PUBLICATION
TOWSON, MD., 11-30, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11-22, 1990
THE JEFFERSONIAN,
S. Zake Online
Publisher
\$ 80.46

CERTIFICATE OF PUBLICATION
TOWSON, MD., 11-30, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11-22, 1990
THE JEFFERSONIAN,
S. Zake Online
Publisher
\$ 80.46

receipt
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6150
Number
No 3697
REVISED PLANS
Item 102
Date 10/17/90
PUBLIC HEARING FEES
QTY PRICE
110 - REVISIONS (ALL OTHERS) 1 X \$75.00
TOTAL: \$75.00
LAST NAME OF OWNER: MARYLAND CHINA
0440480110MCHRC
BA 011156AHL0-18-90 \$75.00
Please make checks payable to: Baltimore County
Casher Validation

receipt
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6150
Number
No 3687
REVISED PLANS
Item 102
Date 10/18/90
PUBLIC HEARING FEES
QTY PRICE
040 - SPECIAL HEARING (OTHER) 1 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: MARYLAND CHINA
044048004MCHRC
BA 030224M10-17-90 \$175.00
Please make checks payable to: Baltimore County
Casher Validation

receipt
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6150
Number
91-172-SPHA
Date 11/20/90
PUBLIC HEARING FEES
QTY PRICE
050 - POSTING SIGNS / ADVERTISING 1 X \$130.46
TOTAL: \$130.46
LAST NAME OF OWNER: MARYLAND CHINA
044048007MCHRC
BA 020204M12-21-90 \$130.46
Please Make Checks Payable To: Baltimore County
Casher Validation

receipt
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6150
Number
91-172-SPHA
Date 12/20/90
PUBLIC HEARING FEES
QTY PRICE
050 - POSTING SIGNS / ADVERTISING 1 X \$130.46
TOTAL: \$130.46
LAST NAME OF OWNER: MARYLAND CHINA
044048007MCHRC
BA 020204M12-21-90 \$130.46
Please Make Checks Payable To: Baltimore County
Casher Validation

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: 12-5-90

Maryland China Company, Inc.
54 Main Street
Reisterstown, Maryland 21136

RE: Petition for Special Hearing and Zoning Variance
CASE NUMBER: 91-172-SPH
W/S Reisterstown Road, 368' (+/-) N Chatsworth Avenue
(854 Main Street)
4th Election District - 3rd Councilmanic
Petitioner(s): Maryland China Co., Inc.
HEARING: FRIDAY, DECEMBER 21, 1990 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$130.46 is due for advertising and posting of the above captioned property. THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

JRH:js
cc: Deborah C. Dopkin, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

November 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

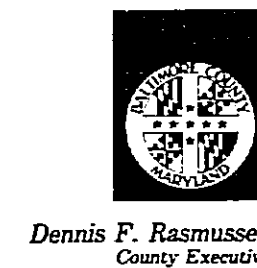
Petition for Special Hearing and Zoning Variance
CASE NUMBER: 91-172-SPH
W/S Reisterstown Road, 368' (+/-) N Chatsworth Avenue
(854 Main Street)
4th Election District - 3rd Councilmanic
Petitioner(s): Maryland China Co., Inc.
HEARING: FRIDAY, DECEMBER 21, 1990 at 2:00 p.m.

Variance request for building lying 7 ft. in line of 100 ft. from residential zone; rear yard 13 ft. (+/-) in line of 40 ft.; floor area expansion to 55% in lieu of 50%; and to allow direct access to parking spaces in lieu of aial access and to amend the last approved Zoning Order and plan in hearing #83-89-A.

Special Hearing: The existing and continuing retail and warehouse use of a single site divided by a M-A-M-C-C zone line, including a proposed building addition.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Maryland China Company, Inc.
Deborah C. Dopkin, Esq.



Dennis F. Rasmussen
County Executive

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 3, 1990

Deborah C. Dopkin, Esquire
405 Allegheny Avenue
Towson, MD 21204

RE: Item No. 102, Case No. 91-172-SPH
Petitioner: Maryland China Co., Inc.
Petition for Special Hearing and
Zoning Variance

Dear Ms. Dopkin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Edward A. Weiner
Maryland China Co, Inc.
54 Main Street
Reisterstown, Md 21136

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 3rd day of October, 1990.

J. Robert Haines
Zoning Commissioner

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Edward A. Weiner, et ux
Petitioner's Attorney: Debra Dopkins

Dec. 21, 1990

91-172-SPH

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 5, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Maryland China Company, Item No. 102

The Petitioner requests a Special Hearing to approve the existing and continuing retail and warehouse use of a single site divided by a M.L.R./B.L.-C.C.C. zone line, including a proposed building addition.

In reference to Applicant's request, staff offers the following information:

- On October 18, 1990, the Planning Board waived the requirement for a CRG meeting; however, a plan is required (see W-90-272).
- This site was subject to a zoning map correction (see Case No. M.C.90-2). In that case, a portion of the property's zoning was changed from D.R.10.5 and B.L.-C.C.C. to M.L.R. The zoning change was required because a technical drafting error occurred on the 1988 Comprehensive Zoning Map resulting in a change in the property's zoning classification when there was no request before the county council to do so. Attached, please find a copy of the Board of Appeal's Order.

Based upon a review of the information provided, staff recommends that the request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM102/ZAC1
Attachment

received
12/1/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 20, 1990
FROM: Jack Dillon, Senior Planner
Office of Planning and Zoning
SUBJECT: Maryland China, Item No. 172

On December 12, 1990, I met with Deborah C. Dopkin and discussed the proposed changes for access to Reisterstown Road, as proposed by the State Highway Administration. She provided me with a copy of the proposed changes which I feel are acceptable with one reservation; that being since the proposed new entrance will remove existing trees, we recommend that a landscape plan for the entire site be prepared and made part of the order.

JD/cmm
MDCHINA.JD/ZAC1

cc: Deborah C. Dopkin, Attorney at Law
File

RECEIVED
DEC 21 1990
ZONING OFFICE



Maryland Department of Transportation
State Highway Administration

RECEIVED
DEC 14 1990

ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Dear Mr. Haines:

We are writing you to revise our previous comments of December 3rd, concerning access to Reisterstown Road for the Maryland China Property.

After a field investigation of the site, we determined there is an existing entrance of 28' in width. This is above our minimum standard of 25', therefore, we waive the requirement for reconstruction of the existing entrance. A width of 28' should be shown on the plan in lieu of the incorrect dimension of 22'.

We have also determined the existing entrance onto Reisterstown Road has more than adequate sight distance to safely allow vehicles to enter and exit this property. Therefore, we are agreeable to allow the existing entrance to remain as full movement until such time as the proposed public street for Reisterstown Village is constructed.

We strongly recommend that access to the proposed public street be provided for the Maryland China Company. Once the proposed public street is constructed, we recommend the existing entrance onto Reisterstown Road be closed and a new entrance be constructed at the southern property line. This would move the entrance as far away from the proposed intersection as possible. We request a note be shown on the final approved plan for this internal connection and entrance relocation.

Also, the plan must show a future 80' right-of-way (40' measured from the centerline) of Reisterstown Road.

My telephone number is (301) 333-1350 (Fax #333-1041)

Telegraphwriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0777

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

Mr. Robert Haines
Page -2-
December 12, 1990

If we can be of further assistance, please contact Larry Brocato of this office at (301) 333-1350.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

LB:mav

cc: Maryland China Company
N & H Development Engineers, Inc.
Mr. J. Ogil



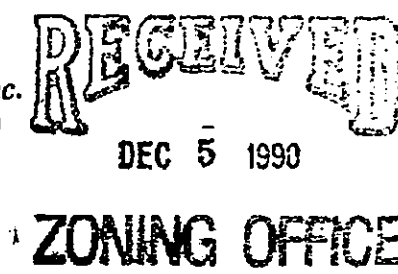
**Maryland Department of Transportation
State Highway Administration**

91-172-SPH

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

December 3, 1990

Re: Baltimore County
Maryland China Co. Inc.
Zoning meeting 10/2/90
W/S Reisterstown Road
MD 140
368' north of
Chatsworth Avenue
Item #102



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: Mr. James Dyer

Dear Mr. Haines:

We have reviewed the submittal for a variance request for building tying 7' in lieu of 100' from a residential zone and we offer the following:

We recommend that access to this property be relocated onto the proposed public street to be constructed on the adjacent property in conjunction with the proposed development named Reisterstown Village.

We make this recommendation since the existing access to the property has safety concerns that are as follows:

- Inadequate entrance width of 22'. Our minimum entrance width is 25'.
- There is not enough sight distance along Reisterstown Road to the east to adequately allow vehicles to safely make left turns out of this property onto Reisterstown Road.
- Once this proposed public street is constructed, this entrance will fall within the limits of an acceleration transition area which will make access to Reisterstown Road a difficult movement.

If access to the adjacent proposed public street cannot be provided, we would strongly recommend the existing access be widened to a 25' width and posted with "NO LEFT TURN" signs to preclude vehicles making this movement onto Reisterstown Road.

The 25' minimum width requirement appears to be in conflict with the three parking spaces nearest to Reisterstown Road.

cc'd Reisterstown for 11/14/90

My telephone number is (301) 333-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 888-0451 D.C. Metro - 1-800-482-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. J. Robert Haines
Page 2
December 3, 1990

Also, the plan must be revised to show a future 80' right-of-way (40' measured from the centerline) of Reisterstown Road.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

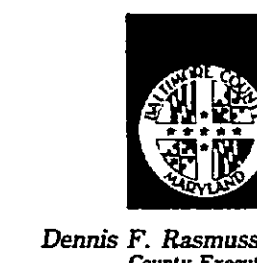
LB/es

attachment

cc: Maryland China Company
Mr. J. Ogle

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-5554

October 3, 1990



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

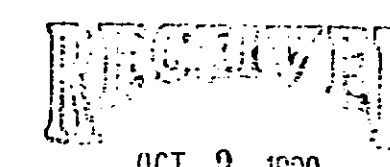
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 73, 94, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, & 112.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/jw



ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500
Paul H. Reincke
Chief

OCTOBER 9, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MARYLAND CHINA CO., INC.

Location: #54 MAIN STREET

Item No.: 102 Zoning Agenda: OCTOBER 2, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

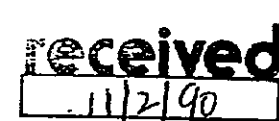
1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Plan fails to show existing or proposed fire hydrants on-site or along Reisterstown Road.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *John Kelly* 10-9-90 Noted and Approved *William W. Brady Jr.*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
October 30, 1990



TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES C.E.B.
SUBJECT: ZONING ITEM #: 102 (REVISED)
PROPERTY OWNER: Maryland China Company
LOCATION: 54 Main Street
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 3

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- (X) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE. THIS DOES NOT MEAN THE BUILDING CANNOT BE MADE TO COMPLY TO THE CODE. HOWEVER, THE OWNER SHOULD BE MADE AWARE OF THE COST INVOLVED BY HIS PROFESSIONAL ARCH/ENG.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - Buildings over 12000 sq ft used for factory, storage or mercantile uses shall be fully sprinklered, Section 1002.9 of the BOCA Basic Building Code 1987 Edition.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 26, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for November 7, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 147, 159, 161, 162 and 163. Also, we have no comments on Items 102 and 112.

Items 443 revised and 148 County Review Group meetings are required.

For Item 189, a County Review Group Meeting may be required. Denison Street is proposed as a 20-foot paving section on a 50-foot right-of-way (5-foot widening is required). Drainage from the proposed parking areas is directed to rear of adjacent Lot #6.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:c

H.O.

102
91-172-SPHA

There are several issues on this one.
The zone lines were changed on the rear of the property (according to since previous) through the corner 42-50.
For zoning map correction prior to this filing, there are supposed to be no more shown on this plan. Hopefully John Fernandez will secure the order for change prior to the hearing and this can be waived. I also notified Vince M. that there is a possible problem with the use limitations due to the M.R./B.L. zone through the existing and proposed buildings. B.L. won't permit warehouse and M.R. doesn't permit retail uses (wholesale sales and small retail uses are permitted on the M.R. which uses are permitted on M.R. so the zoning alternate some of the problem.) I wanted him to alert the owner and the attorney (who knows signs in his mind) but he's not selected by the owner but is aware of the required representation for hearing. So that the issue may be addressed at the hearing should it be necessary.

JBH 9/11/90

91-172-SPHA

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWH DATE: January 21, 1991
Mr. Powell / EIRD
Mr. Pilsen / WES
Mr. Flowers / CBCA
Mr. Fisher / Planning
Mr. Richards / Zoning
Mr. Bowling / DEB
Mr. Famili / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acq.
Ms. Lutz / House Noe.
Capt. Kelly / Fire Dept.
Mr. Kincer / Rec. & Parks
Mr. Brocato / SHA
Mr. Butcher / C&P

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: District: 4C3
Project Name: Maryland China Co.7
Project No.: 90453
Engineer: M&H Engineers, Inc.
Phone No.: 828-9060

ACTION REQUESTED:
CRG Plan Review (Meeting Waived): XX W-90-272 Q
CRG Plan Refinement Review :
CRG Non-Material Amendment Review :
CRG Plan Approval Extension Review :
Handle Minor CRG Plan Review :
Minor Subdivision Review :

Please review the attached plan for compliance with current regulations and return comments to our office by 2/11/91. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

Thank you for your attention to our request.

SDW:mmm
cc: File

To John L.
1/23/91 WCR

MARYLAND CHINA COMPANY
W-90-272

C.R.G. Waiver
Plan Date: 1/18/91
Comments Due: 2/11/91
Comments Date: 2/25/91

Include a zoning history on plan. Provide a zoning history by case number on the plan including the date of the last order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, item numbers 102 and 164. Key all variance locations to the zoning history notes.

Clarify the Phase II/Phase III layouts (on the plan). These changes cannot be approved without approval of the Zoning Hearing Officer. A red-lined hearing plan, as approved in Zoning Case #102, showing and listing all changes along with a cover letter explaining the reasons for all changes from the approved plan must be submitted to the Hearing Officer requesting if the revised plan may be approved without additional public hearings to revise.

Phase II and III details must be accompanied by parking calculations to show no loss in required parking or variance hearings are required. Also, dimension the required 10 ft. parking to street right-of-way setback and document approval of the parking and maneuvering aisles concerning off-street parking with direct access to vehicular travelways from the Department of Traffic Engineering (per S.409.4). Show accurate and adequate qualifying A.O.S. calculations shaded, dimensioned and sub-totaled in square feet in reference to the plan changes for each phase.

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

John L. Lewis
JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - Items #102 & #164
Waiver File

MARYLAND CHINA COMPANY
W-90-272

Revised Plan Date: 3/16/91
Plan Received: 4/23/91
Revised Comments: 4/24/91

The Zoning Commissioner granted a petition for special hearing and variance (zoning case #91-172-SPHA) in a written Order dated 2/19/91. This decision has been appealed and the Exhibits #1 and #2, which were approved per this Order, are no longer in the zoning file and have been forwarded to the Board of Appeals.

There is no evidence that the previous comments dated 2/25/91 have been addressed and it is strongly suggested that, in addition to the revised plans requested by this Office, the hearing plans before the Board of Appeals be revised to address the previous C.R.G. comments if this has not already been done. The C.R.G. and hearing plans must agree or further revisions or public zoning hearings may be required.

Any requests for further information from the Zoning Office must include a reference to the waiver file #W-90-272 and written correspondence or revised plans must be accompanied by a copy of these comments.

John L. Lewis
JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - Items #102 & #164
Waiver File



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

May 31, 1991

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

Re: Case No. 91-172-SPHA (Maryland China Company)

Dear Mr. Hoffman:

Enclosed is a copy of the Order of Dismissal issued this date by the County Board of Appeals in the subject matter.

Sincerely,

Linda Lee M. Kuzmaul
Linda Lee M. Kuzmaul
Legal Secretary

cc: Operating Engineers Local #37 Pension Fund
Deborah C. Dopkin, Esquire
Edward Weiner, Pres. - Maryland China Company
Mr. Dean Hoover - George W. Stephens & Assoc.
Ms. Brenda L. Crabbs, Exec. Dir. - Reisterstown-
Owings Mills-Glyndon Chamber of Commerce
Mr. Vincent Moskunus - M & H Development Engineering
Mr. Kevin Gombeski
Mr. David Cross
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 16, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing and Variance
W/S Reisterstown Road, 368' +/- N Chatsworth Avenue
(54 Main Street)
4th Election District, 3rd Councilmanic District
MARYLAND CHINA COMPANY - Petitioner
Case No. 91-172-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on March 21, 1991 by Robert A. Hoffman, Attorney on behalf of the Operating Engineers Local #37 Pension Fund (an abutting property owner). All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Edward Weiner, President - Maryland China Company
54 Main Street, Reisterstown, MD 21136

Deborah C. Dopkin, Esquire - Hellman & Redmond
405 Allegheny Avenue, Towson, MD 21204

81-2113 312715
21-1723

APPEAL

Petition for Special Hearing and Variance
W/S Reisterstown Road, 368' +/- N Chatsworth Avenue
(54 Main Street)
4th Election District - 3rd Councilmanic District
MARYLAND CHINA COMPANY - Petitioner
Case No. 91-172-SPHA

Petitions for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. Plat to accompany petitions
2. Plat to accompany petitions (Marked up)

Zoning Commissioner's Order dated February 19, 1991 (Granted with restrictions)

Notice of Appeal received March 21, 1991 from Robert A. Hoffman, Attorney on behalf of the Operating Engineers Local #37, Pension Fund (an abutting property owner), c/o Mr. John W. Skipper, Jr., 5903 Harford Road, Baltimore, MD 21214

cc: Edward Weiner, President - Maryland China Company
54 Main Street, Reisterstown, MD 21136

Deborah C. Dopkin, Esquire - Hellman & Redmond
405 Allegheny Avenue, Towson, MD 21204

Robert A. Hoffman, Esquire - Venable, Baetjer and Howard
210 Allegheny Avenue, Towson, MD 21285-5517

Operating Engineers Local #37 Pension Fund
c/o Mr. John W. Skipper, Jr.
5903 Harford Road, Baltimore, MD 21214

Dean Hoover - George W. Stephens and Associates
658 Kenilworth Drive, Towson, MD 21204

Brenda L. Crabbs, Executive Director
Reisterstown-Owings Mills-Glyndon Chamber of Commerce
10451 Mill Run Circle, Suite 400, Owings Mills, MD 21117

Vincent Moskunus - M & H Development Engineering
200 E. Joppa Road, Towson, MD 21117

Kevin Gombeski, 24 Hickory Meadow Road, Cockeysville, MD 21030

David Cross, 1937 Glen Cove, Darlington, MD 21034

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Appeal Checklist - Case No. 91-172-SPHA
Maryland China Co., Inc. - Petitioner
April 15, 1991
Page 2

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

Appeal Cover Letter - Case No. 91-172-SPHA
Maryland China Co., Inc. - Petitioner
April 15, 1991
Page 2

Robert A. Hoffman, Esquire - Venable, Baetjer and Howard
210 Allegheny Avenue, Towson, MD 21285-5517

Operating Engineers Local #37, Pension Fund
c/o Mr. John W. Skipper, Jr.
5903 Harford Road, Baltimore, MD 21214

Dean Hoover - George W. Stephens and Associates
658 Kenilworth Drive, Towson, MD 21204

Brenda L. Crabbs, Executive Director
Reisterstown-Owings Mills-Glyndon Chamber of Commerce
10451 Mill Run Circle, Suite 400, Owings Mills, MD 21117

Vincent Moskunus - M & H Development Engineering
200 E. Joppa Road, Towson, MD 21117

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David Cross, 1937 Glen Cove, Darlington, MD 21034

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, MD 21204

File



REISTERSTOWN • OWINGS MILLS • GLYNDON
CHAMBER OF COMMERCE
Established 1949

December 13, 1990

Robert J. Haines, Zoning Commissioner
111 W. Chesapeake Ave.
Towson, MD 21204

RE: 91-172-SPHA
Item #102

Dear Mr. Haines,

With regard to the Maryland China Company located at 54 Main Street in Reisterstown, the Main Street Committee of the Reisterstown/Owings Mills/Glyndon Chamber of Commerce supports this continuing retail and warehouse use that has been in existence for over 20 years.

During that time, the Maryland China Company has been a good business and community neighbor. They employ twenty-two people, probably the largest employer along this section of Main Street.

The Main Street Committee of the Reisterstown/Owings Mills/Glyndon Chamber of Commerce supports the requested variances and urges your timely and favorable consideration allowing this project to move forward.

Thank you for your attention.

Sincerely,

Brenda L. Crabbs
Brenda L. Crabbs
Executive Director

BLC/lpr

cc: Deborah C. Dopkin
Dr. Edward Weiner

RECEIVED
DEC 17 1990

ZONING OFFICE

Executive Offices: 10451 Mill Run Circle • Suite 400 • Owings Mills, Maryland 21117
(301) 356-8830

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 825-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

September 24, 1990

OF COUNSEL
DEBORAH C. DOPKIN

John Lewis
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Maryland China Company
54 Main Street
Reisterstown, Maryland

Dear Mr. Lewis:

Vince Moskunus recently filed a petition for zoning variances for the above captioned property. Please enter my appearance as attorney for the Petitioner in this matter.

Thank you.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

cc: E. Weiner
V. Moskunus

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 825-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

September 25, 1990

OF COUNSEL
DEBORAH C. DOPKIN

J. Robert Haines
Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance
Maryland China Co., Inc.
Item No. 102

Dear Mr. Haines:

I represent Maryland China Co., Inc. with respect to the above-captioned matter. This letter is to request an expedited hearing for the case. As you may be aware, Maryland China was inadvertently the subject of an incorrect zoning classification on the 1988 Maps. Though the matter has been corrected by Case No. M.C. 90-2, a delay of more than six months has been incurred as a result of this error which was not created by Maryland China Co. in any way. The practical result is that the Company has had to delay its plans for the building addition and the Company has been forced to use off-site storage facilities in the interim. In addition, the existing facility is overcrowded and presents an undesirable, and potentially unsafe condition for employees. Therefore, we are anxious to advance this matter at the earliest opportunity.

I would appreciate your setting the case in for a hearing as soon as possible. Thank you for your consideration of this matter.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

DCD/ddr
cc: Ed Weiner
Vince Moskunus

LETN7012

SEP 27 1990
ZONING OFFICE

Hold - Revision to be filed.

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 825-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

January 11, 1991

OF COUNSEL
DEBORAH C. DOPKIN

Mr. Joseph Merrey
c/o Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Maryland China Company
Case No. 90-172 SPHA

Dear Joe:

Pursuant to Commissioner Haines' instructions, I have drafted Findings of Fact and Conclusions of Law in the above captioned matter.

Please review the enclosed draft, and let me know if editing is needed. If it is satisfactory, I would appreciate your having it signed and returned to me.

Thanks for your assistance. I look forward to hearing from you.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

enc

cc: Ed Weiner

LETN7012

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21205-5517
TELEPHONE (301) 825-4111
FAX (301) 821-0147

RICHARD H. VENABLE (1838-1901)
THOMAS H. BAETJER (1888-1941)
CHARLES RICH. HOWARD (1870-1941)

ROBERT A. HOFFMAN

March 21, 1991

WRITER'S DIRECT NUMBER IS
494-9162

Mr. J. Robert Haines
Zoning Commissioner for
Baltimore County
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing and Zoning Variance
W/S Reisterstown Road, 368' ±
N. Chatsworth Avenue
54 Main Street
4th Election District, 3rd Councilmanic District
Maryland China Company, Petitioner

Case No. 91-172-SPHA

Dear Mr. Haines:

On behalf of Operating Engineers Local #37 Pension Fund (an abutting property owner), c/o Mr. John W. Skipper, Jr., 5903 Harford Road, Baltimore, Maryland 21214, please note an appeal of the February 19, 1991 order of the Zoning Commissioner granting the Petitioner's requests in the referenced action.

I enclose a check in the amount of \$325.00 for the filing fee for this appeal. Please contact me if you have any questions or comments regarding this matter.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

RAH/tls

3-21-91
ZONING OFFICE

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21205-5517
TELEPHONE (301) 825-4111
FAX (301) 821-0147

RICHARD H. VENABLE (1838-1901)
THOMAS H. BAETJER (1888-1941)
CHARLES RICH. HOWARD (1870-1941)

ROBERT A. HOFFMAN

May 30, 1991

WRITER'S DIRECT NUMBER IS
494-9162

William T. Hackett, Chairman
County Board of Appeals for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Appeal of Case No. 91-172-SPHA

Dear Mr. Hackett:

On behalf of Operating Engineers Local #37 Pension Fund, please dismiss the appeal noted on March 21, 1991 as indicated in the attached letter.

Please contact me if you have any questions or comments regarding this matter.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

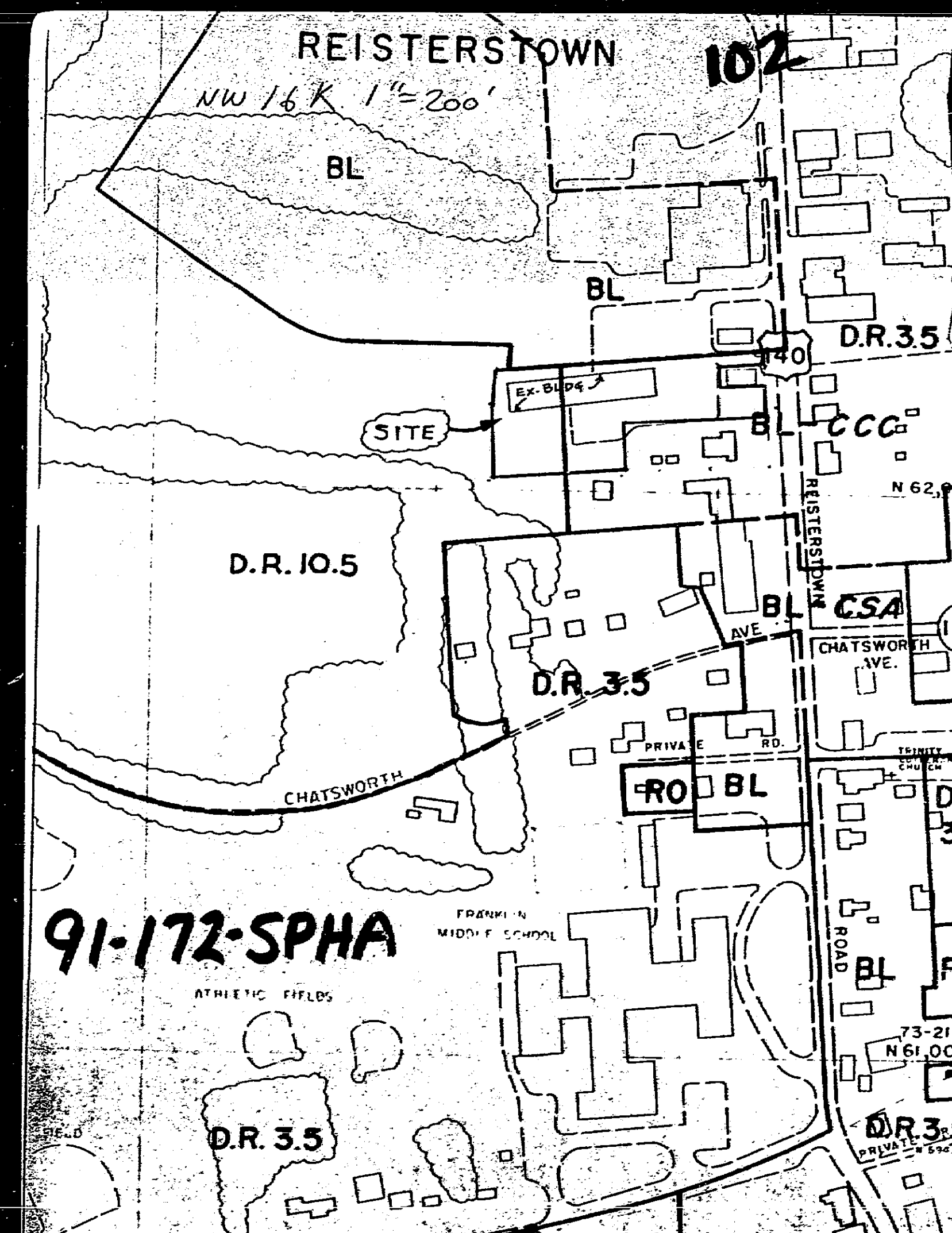
RAH/tls
Enclosure

SS-1111 05 JUN 16
OFFICE OF THE CLERK

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Brenda L. Prather, Esq.	10451 Mill Run Circle, Ste 400
Reisterstown/MD/17117	Reisterstown/MD/17117
VINCENT MOSKUNAS	100 E. JOPPA RD. Towson, MD 21204
KEVIN GAMBRESKI	24 HICKORY MEADOW RD. Cockeysville 21032
DAVID M. CROSS	1321 GLEN COVE DUBLINGEN MD 21034
DEAN HOOVER	168 KENILWORTH DR Towson MD 21204



Celebrating Our 80th Year
1990 CATALOG



Our Fine White China Can Be Decorated,
Personalized Or Left Unadorned.

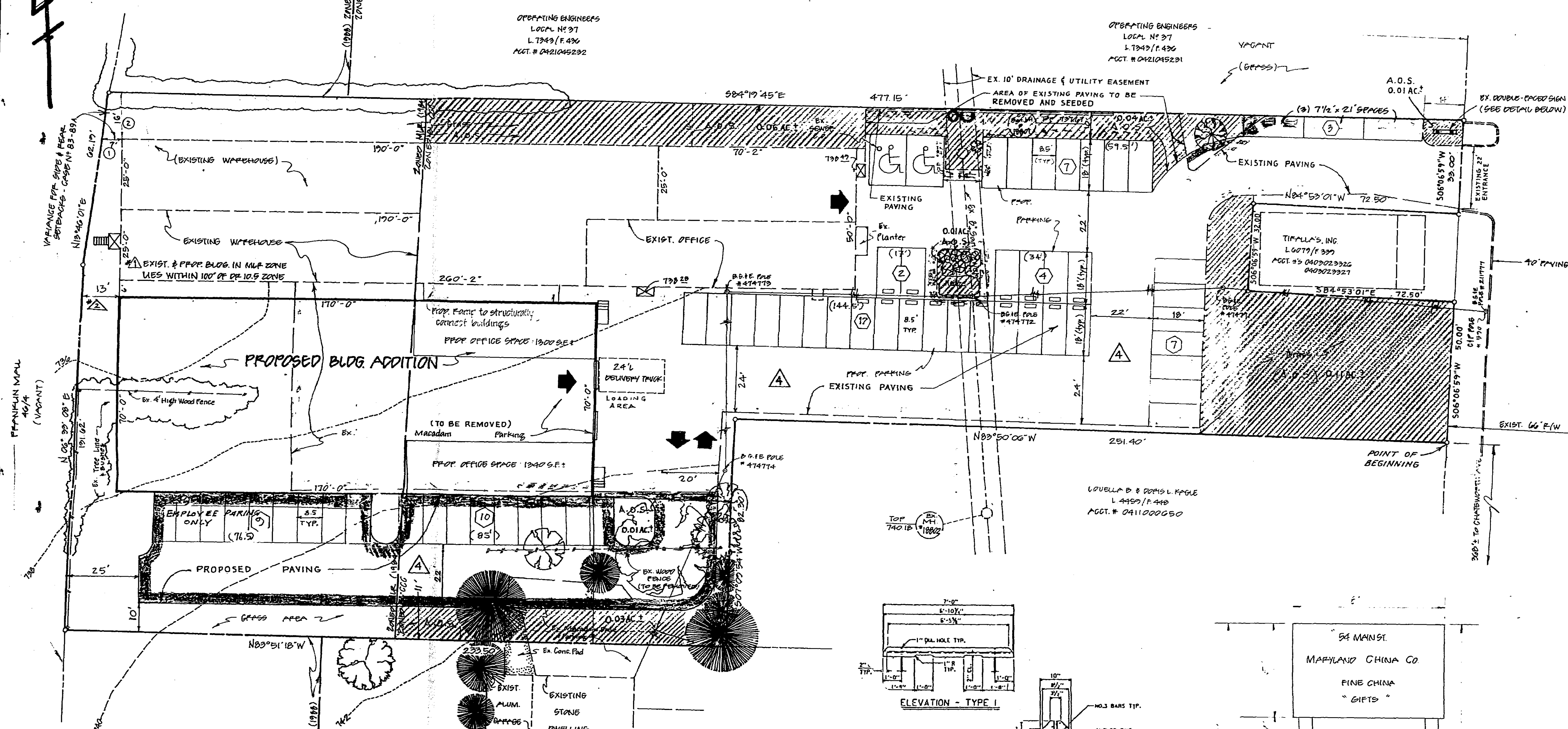
Maryland China Company

THE WORLD'S LARGEST IMPORTER OF WHITE PORCELAIN CHINA

STANDARD DURABLE DUSTLESS SURFACE & PARKING SPACES TO BE PERMANENTLY STRIPED.
 1" BITUMINOUS CONCRETE BASE (BY D.I.)
 2" 6" GRAPED ASPHALT SUB-BASE COURSE (BY S/D)
 OR 6" BANK-FILL GRAVEL SUB-BASE COURSE (BY S/D)

PAVING DETAIL

NO SCALE



VICINITY MAP

Scale: 1" = 1000'
 Ditch Mark: Elev. 734.056
 Description: OFFER - FIRST IN EAST CORNER OF REGISTERSTOWN ROAD OPPOSITE WESTMINSTER FIRE

REGISTERSTOWN ROAD
 (MAIN STREET)

NOTE:
 ZONING MAP CORRECTION CASE NO. M.C. 90-2
 AS SET FORTH IN SECTION 22-25 (A)(2) OF BALTIMORE COUNTY CODE, APPROVED AUGUST 22, 1990.

LEGEND

- EXIST. ZONING HISTORY SHOWN THUS ①
- PROP. VARIANCES SHOWN THUS Δ
- EXIST. GRASSLAND
- EXIST. PAVING
- EXIST. PAVING TO BE REMOVED
- PROP. PAVING ADDITION
- EX. CURB & GUTTER
- PROPERTY LINE
- EX. TREE & SHRUB LINE
- EX. SANITARY SEWER (WITHIN EASEMENT)
- PROP. DRAIN ADDITION
- AMENITY OPEN SPACE
- CONCRETE WHEELSTOPS

SITE DATA

AREA ZONED B.L. = (NOT) 1/2 AC. (GROSS) 1/2 AC. (NET) 30' OF REGISTERSTOWN RD.
 AREA ZONED M.L.F. = 0.52 AC. (352 AC.)
 TOTAL AREA OF SITE = 1.54 AC. 1.70 AC.

FLOOR AREAS:
 MAXIMUM - 118' x 30' MAX. F.A.R. (IN B.L. ZONE) = 154,202.4 S.F. (51,400.8 S.F. x 3.0)
 PERMITTED - 118' x 30' MAX. F.A.R. (IN M.L.F. ZONE) = 13,970.72 S.F. (22,551.2 S.F. x 0.6)
 TOTAL ALLOWABLE FLOOR AREA = 168,173.12 S.F.

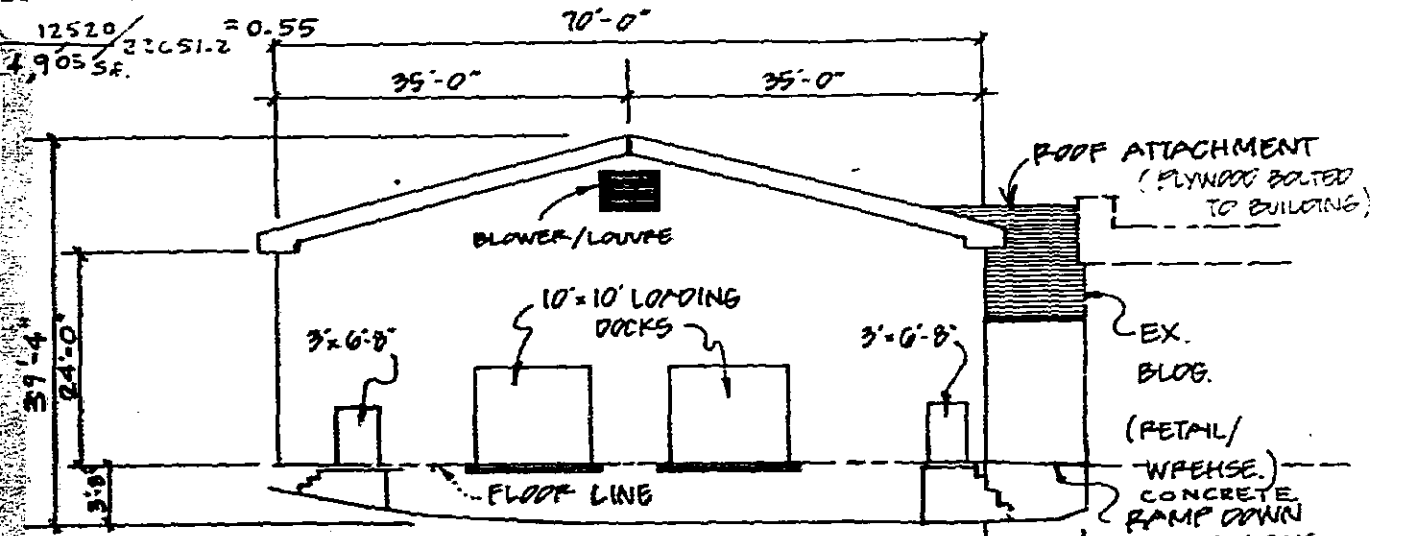
	OFFICE	WAREHOUSE	M.L.F. ZONE
PROPOSED - EXIST. OFFICE (B.L. ZONE)	2,375 S.F.	5,355 S.F.	52,75 S.F.
PROPOSED - EXIST. WAREHOUSE (M.L.F. ZONE)	7,730 S.F.	5,275 S.F.	52,75 S.F.
SUB-TOTAL FLOOR AREA OF EXIST. BLDG.	10,105 S.F.	10,630 S.F.	105,50 S.F.
PROPOSED - OFFICE (B.L. ZONE)	2,640 S.F.	2,015 S.F.	72,45 S.F.
PROPOSED - WAREHOUSE (M.L.F. ZONE)	4,655 S.F.	7,245 S.F.	72,45 S.F.
SUB-TOTAL FLOOR AREA OF PROPOSED BLDG.	7,295 S.F.	9,260 S.F.	144,90 S.F.
SUB-TOTAL AREA (EXIST. & PROPOSED)	17,400 S.F.	19,890 S.F.	250,40 S.F.
OFFICE	5,015 S.F.	12,520 S.F.	12,520 S.F.
WAREHOUSE	7,370 S.F.	12,520 S.F.	12,520 S.F.
TOTAL AREA	12,385 S.F.	25,040 S.F.	25,040 S.F.

PARKING TABULATION:
 REQUIRED - OFFICE - 9.3 SPACES/1000 S.F. @ 5.015 S.F. = 17 SPACES
 WAREHOUSE - 5.0 SPACES/1000 S.F. @ 7,370 S.F. = 37 SPACES
 TOTAL REQUIRED = 54 SPACES

PROPOSED - TOTAL 60 SPACES (INCLUDES 2 HANDICAP SPACES)
 AMENITY OPEN SPACE
 MINIMUM PERMITTED A.O.S. RATIO = 0.2 (B.C.Z.R. 202A.4) = 0.236 AC. (51,400 S.F. x 0.2)
 PROPOSED A.O.S. RATIO = 0.270 AC. (58,800 S.F. x 0.2)

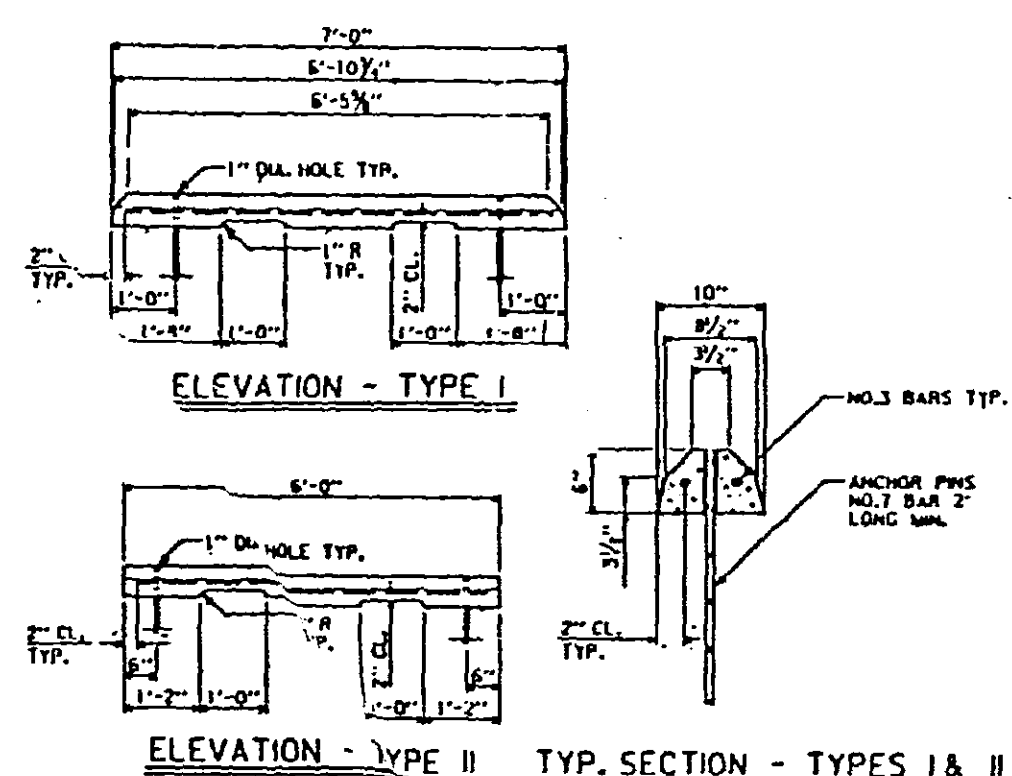
* TO PERMIT 12,385 S.F. OF COVERAGE IN LIEU OF MAX. PERMITTED 11,325.6 S.F. (SEE VARIANCE #2)

JAMES & VIRGINIA SPFFOLL
 L. 876/555
 ACCT. # 0410000303



PROP. BUILDING - ELEVATION VIEW

NOT TO SCALE



③ CONCRETE WHEELSTOPS NOT TO SCALE
 ④ HANDICAPPED PARKING SPACE SCALE: 1/4" = 1'-0"

SIGN DETAIL

Scale: 1" = 3'
 DOUBLE-FACE SIGN - 40 SQ. FT. MAX. EA. SIDE
 TOTAL: 80 SQ. FT. MAX.

PETITIONER'S EXHIBIT 1

- * VARIANCE REQUESTED FOR BUILDING LYING 7' AT ITS CLOSEST POINT FROM A RESIDENTIAL ZONE IN LIEU OF THE REQUIRED 100' (B.C.Z.R. 250.4)
- * VARIANCE REQUESTED FOR 19'3" IN LIEU OF 40' SETBACK FOR REAR YARD (B.C.Z.R. 250.3)
- * VARIANCE REQUESTED FOR BUILDING EXCEEDING MAXIMUM FLOOR AREA RATIO OF 50% OF LAND AREA IN M.L.F. ZONE, PROPOSED & EXISTING BLDGS. ON SITE = 55% OF LAND AREA (B.C.Z.R. 250.3)
- * VARIANCE REQUESTED FOR DIRECT ACCESS FROM AISLES TO PARKING SPACES (B.C.Z.R. 409.4)
- ZONING HISTORY APPROVED ZONING CASE #83-89A
- ① REAR YARD 7' IN LIEU OF 40'
- ② SIDEYARD 16' IN LIEU OF 30'

MARYLAND CHINA COMPANY

BALTIMORE COUNTY, MARYLAND
 SCALE: 1" = 20'



REVISIONS
JUNE 25, 1990
AUG. 13, 1990
AUG. 23, 1990
SEPT. 17, 1990

COUNCILMANIC DISTRICT 3
 ELECTION DISTRICT NO. 4
 DATE: JANUARY 22, 1990

200 East Joppa Road
 Room 101, Sherrill Building
 Towson, Maryland 21204
 (301) 828-9500

91-172
 SPHA

